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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,804	04/15/2004	Mitsuo Kimura	CFA00075US	1578

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CANON U.S.A. INC. INTELLECTUAL PROPERTY DIVISION
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IRVINE, CA 92618-3731

EXAMINER

SARPONG, AKWASI

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

10/29/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/826,804

Applicant(s)

KIMURA, MITSUO

Examiner

AKWASI M. SARPONG

Art Unit

2625

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/12/2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 8-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04/15/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 04/15/2004.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/12/2010 has been entered.

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 13 claims "A computer readable medium having a program ..." However, the claims do not define a computer readable medium having a program to be a Non transitory functional descriptive material and is thus non-statutory for that reason (i.e., "When functional descriptive material is recorded on some non- transitory computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized").

Such claimed "A computer readable medium having a program" (software) does not define any structural and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer

program's functionality to be realized. As such, "program"/software, not claimed as embodied/encoded in computer-readable medium and is not statutory because the "program"/software is not capable of causing functional change in the computer. Because the full scope of the claim as properly read in light of the disclosure encompasses non-statutory subject matter, the claim as a whole is non-statutory and appears to be one type of claim that is considered nonstatutory, under the present USPTO Interim Guidelines, 1300 Official Gazette Patent and Trademark Office 142 (Nov. 22, 2005).

In applicants specification, applicant described in section 0084 that the storage medium for supplying the program code may be, for example, a floppy disk, a hard disk, a magnetic optical disk, a CD-ROM, a CD-R, a CD-RW, a Digital Versatile Disc -Read-only Memory (DVD-ROM), a DVD-RAM, a DVD-RW, a DVD-R, a magnetic tape, a nonvolatile memory card, a ROM, and the like. The phrase and the like means that the storage medium can include a signal or a wave that can carry a problem. Therefore the computer readable medium can include a signal or wave.

Claims 14-17 are also rejected under 35 U.S.C 101 because they also depend on Claim 13 and also claim Computer readable medium.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 and 8-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leurig (20030014368) in view of Simpson (20030172148).

Claim 1, Leurig discloses a method executed by a server (**Server 104 shown in fig. 3**) capable of communicating with a client device (**Client 108 shown in Fig. 3**) and a printer device (**Printer 110 shown in fig. 110**) through a network, (**Network 102 Shown in fig. 1**) (**Section 0041, lines 2-4- thus server 104 and client 108 communicates through network 102 as clearly shown in fig. 1**)

the server, the client device and the printer device each being a different apparatus from the other, (**Fig. 3 shows clearly that client 108 is externally different from printer 110 and server 104 is also a different apparatus from each other**).

the method comprising:

receiving a printing request from the client device (**Section 0018, lines 3-5- the user through client 108 provides print requests to the server 104**).

transmitting print data to the printer device selected in the client device in accordance with the received printing request (**Section 0018, lines 6-8- the completed print jobs are retrieved by client 108 and sent to be printed on printer 110**).

Leurig does not disclose transmitting, to the client device, address information for causing the client device to access the printer device and acquire, from the printer device without going through the server, a Web page provided by the printer device, the Web page displaying a state of processing of the transmitted print data and

allowing the client device to access the printer device and display the Web page in accordance with the address information.

Simpson discloses transmitting the client device address information (**Section 0080- thus the job status page AP hyperlink is the URI of the web page of the state of the print job**) for causing the client device (**Personnel computer 104 shown in Fig. 1A**) to access the printer device and acquire, from the printer device without going through the server, (**Clearly there is no server between the printer 106 and client 104 as clearly shown in Fig. 1A**) a Web page provided by the printer device, the Web page displaying a state of processing of the transmitted print data. (**Section 0073, lines 1-4, thus the AP hyperlink is used by the user to acquire the status or state of the print job by displaying a web page on client 104**) and allowing the client device to access the printer device and display the Web page in accordance with the address information (**Section 0073, lines 2-4 thus the job status is displayed by using the "job status page" which is provided by PP Web content 136**).

Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Leurig's printer 104 to include Simpson's PP web content 136 so that Leurig's printer will be able sent an AP hyperlink (URI) (address information) to Client 108. The motivation for the modification is to enable the user to have easier access to the state or status of the print data at his own convenient time.

Claim 2, Leurig in view of Simpson discloses further comprising authenticating that the printing request is a printing request from a valid user. **(Leurig: Section 0040, thus the user logs in as a means of authentication to the server).**

Claim 3, Leurig in view of Simpson discloses wherein the printer device combines print form data and the print data transmitted by the server in order to generate image data for printing. **(Leurig: Section 0046, lines 9-12, thus the system merges the selected data with the appropriate form to generate a data file or image data for printing)**

Claim 4, Leurig in view of Simpson discloses wherein the address information for causing the client device **(Client 108 shown in Fig. 3)** to access the printer device **(Printer 110 shown in Fig. 3)** and acquire the web page **(Simpson: (Section 0080- thus the job status page AP hyperlink is the URI of the web page of the state of the print job)** comprises a uniform resource identifier of a Web page indicating the state of processing of the transmitted print data. **(Simpson: Section 0073 since the PP web content displays a web, it is inherit that a web page comes with its URL).**

Claim 5, Leurig in view of Simpson discloses wherein the client device **(Leurig: Client 108 shown in fig. 2)** displays the state of processing of the print data **(Leurig: Section 0048 lines 5-16- thus shows as to whether the print data is printed or not completed)** in a web browser in accordance with the Web page acquired by the client

device. **(Simpson: Section 0073- thus the web page displays the status of the sent print job).**

Claim 6-7, (Canceled)

Claim 8, Leurig discloses an information processing device **(Server 104 shown in fig. 3)** capable of communicating with an external device **(Client 108 shown in Fig. 3)** and a printer device **(Printer 110 shown in fig. 110)** through a network, **(Network 102 Shown in fig. 1)** **(Section 0041, lines 2-4- thus server 104 and client 108 communicates through network 102 as clearly shown in fig. 1)**

the information processing device, external device and the printer device each are being a different apparatus from the other. **(Fig. 3 shows clearly that client 108 is externally different from printer 110)** the information processing device comprising:

a request receiving unit **(portion of Client 108 that receives the image)** configured to receive a printing request from the external device; **(Section 0045, lines 1-7- thus the user selects a print job using client computer 108)**

a data transmission unit configured to transmit print data to the printer device selected in the external device in accordance with the printing request received by the request receiving unit; **(Section 0046, lines 1-3, thus the print data is transmitted to a selected printer, selected through client device 108)**

and

a transmission unit configured to transmit, to the external device from the printer device without going through the information processing apparatus a state of processing of the print data transmitted by the data transmission unit. **(Section 0048, lines 5-16 – thus printer 110 transmits the status of the print data to client 108 and hence the state of the print data is known to the client without going through the server).**

a control unit **(Client device 108)** configured to cause the external device to display **(Section 0063, lines 6-7 in browser 207 shown in fig. 5E)** the state automatically **(Section 0035, lines 4-7, thus the second browser automatically opens as soon as a print transaction is initiated).**

Leurig does not disclose transmitting to the client device address information for providing a web page and the web page displaying the state of the print data and displaying the state in accordance with the address information.

Simpson discloses transmitting the client device address information **(Section 0080- thus the job status page AP hyperlink is the URI of the web page of the state of the print job)** to get the state of the print data. **(Section 0073, lines 1-4, thus the AP hyperlink is used by the user to acquire the status or state of the print job)** and displaying the state in accordance with the address information **(Section 0080, thus the job status is displayed by using the "job status page")**. Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Leurig's printer 104 to include Simpson's PP web content 136 so that Leurig's printer will be able sent a web page (address information) to printer 110. The motivation for the

modification is to enable the user to have easier access to the state or status of the print data.

Claim 9, Leurig in view of Simpson discloses an information processing device wherein an authenticating unit configured to authenticate that the printing request is a printing request from a valid user. **(Leurig: Section 0040, thus the user logs in as a means of authentication to the server).**

Claim 10, Leurig in view of Simpson discloses an information processing device wherein the printer device combines print form data and the print data transmitted by the data transmission unit in order to generate image data for printing. **(Leurig: Section 0046, lines 9-12, thus the system merges the selected data with the appropriate form to generate a data file or image data for printing)**

Claim 11, Leurig in view of Simpson discloses an information processing device wherein the address information **(Simpson: Web page please see section 0073)** for causing the external device to access the printer device and acquire the web page comprises a uniform resource identifier of a Web page indicating the state of processing of the transmitted print data. **(Simpson: Section 0073 since the PP web content displays a web, it is inherent that a web page comes with its URL).**

Claim 12, Leurig in view of Simpson discloses an information processing device wherein the external device (**leurig: Client 108 shown in fig. 2**) displays the state of processing of the print data (**Leurig: Section 0048 lines 5-16- thus shows as to whether the print data is printed or not completed**) in a Web browser in accordance with the Web page acquired by the external device. (**Simpson: Section 0073- thus the web page displays the status of the sent print job**).

Claim 13, Leurig discloses a computer-readable medium having a program stored thereon for controlling a computer of a server (**Server 104 shown in fig. 3**) capable of communicating with an external device (**Client 108 shown in Fig. 3**) and a printer device, (**Printer 110 shown in fig. 110**) (**Section 0041, lines 2-4- thus server 104 and client 108 communicates through network 102 as clearly shown in fig. 1**)

the external device being different from the printer device, (**Fig. 3 shows clearly that client 108 is externally different from printer 110**) the program causing the computer to execute a method comprising

receiving a printing request from the external device, (**Section 0045, lines 1-7- thus the user selects a print job using client computer 108**)

transmitting print data to the printer device selected in the external device in accordance with the received printing request; (**Section 0046, lines 1-3, thus the print data is transmitted to a selected printer, selected through client device 108**)

causing the client device to acquire from the printer device without going through the server, a state of processing of the transmitted print data. **(Section 0048, lines 5-16 –thus printer 110 transmits the status of the print data to client 108 and hence the state of the print data is known to the client without going through the server)**

causing the external device **(Client device 108)** to display **(Section 0063, lines 6-7 in browser 207 shown in fig. 5E)** the state automatically **(Section 0035, lines 4-7, thus the second browser automatically opens as soon as a print transaction is initiated).**

Leurig does not disclose transmitting to the client device address information for providing a web page for the client to access the printer device to display the state of the print data.

Simpson discloses transmitting the client device address information **(Section 0080- thus the job status page AP hyperlink is the URI of the web page of the state of the print job)** to get the state of the print data. **(Section 0073, lines 1-4, thus the AP hyperlink is used by the user to acquire the status or state of the print job)** and displaying the state in accordance with the address information **(Section 0080, thus the job status is displayed by using the "job status page")**. Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Leurig's printer 104 to include Simpson's PP web content 136 so that Leurig's printer will be able sent a web page (address information) to printer 110. The motivation for the

modification is to enable the user to have easier access to the state or status of the print data.

Claim 14, Leurig in view of Simpson discloses A computer-readable medium wherein the method further comprises authenticating that the printing request is a printing request from a valid user. **(Leurig: Section 0040, thus the user logs in as a means of authentication to the server).**

Claim 15, Leurig in view of Simpson discloses A computer-readable medium wherein the printer device combines print form data and the print data transmitted by the server in order to generate image data for printing. **(Leurig: Section 0046, lines 9-12, thus the system merges the selected data with the appropriate form to generate a data file or image data for printing)**

Claim 16, Leurig in view of Simpson discloses a computer-readable medium wherein the address information **(Simpson: Web page please see section 0073)** for causing the external device to access the printer device and acquire the web page **(leurig: Section 0048 lines 8-16- thus the Status of the print data is sent to the user)** comprises a uniform resource identifier of a Web page indicating the state of processing of the transmitted print data. **(Simpson: Section 0073 since the PP web content displays a web, it is inherent that a web page comes with its URL).**

Claim 17, Leurig in view of Simpson discloses a computer-readable medium wherein the external device (**leurig: Client 108 shown in fig. 2**) displays the state of processing of the print data (**Leurig: Section 0048 lines 5-16- thus shows as to whether the print data is printed or not completed**) in accordance with the Web page acquired by the external device. (**Simpson: Section 0073- thus the web page displays the status of the sent print job**).

Response to Arguments

Applicant's arguments filed 10/12/2010 have been fully considered but they are not persuasive.

Regarding claims 1, 8 and 13, applicant argues that the cited reference fails to disclose a allowing the client device to access the printer device and display the Web page with the printing state in accordance with the address information.

In reply, Examiner disagree because as explained in the Office action it is agreed that Leurig does not disclose the printer sending an address information to the client computer 104 and the client using that address information to access printer 110 to display the state of the print data.

Instead Leurig clearly discloses "after printing is complete, printer 110 provides a status response to client 108, which in turn provide a status report to server 104 to complete the transaction" –see Section 0048, lines 9-16- thus the status response is

transmitted directly from the printer to the client without going through the server- this will even reduce the burden on the server.

However if the user is away from the exact computer he used then he might miss the status response, therefore as taught by Simpson, Printer 106 using PP Web content 136 transmits AP hyperlink (Section 0080) to get access to printer device in display the status of the print data.

In other words, the PP web content 136 in the printer transmit to the client the AP hyperlink (address information) and this is used by the user clicking on it to access the printer device in other to get the web page for the status.

Simpson does not teach or suggest transmitting address information_for causing the client device to access the printer_and to acquire a Web page displaying a state of processing of the transmitted print data.

In reply, Examiner respectfully disagree because Simpson discloses the PP web content 136 in the printer transmit to the client the AP hyperlink (address information) and this is used by the user clicking on it to access the printer device in other to get the web page for the status- please see Section 0073, 0074 and 0080.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AKWASI M. SARPONG whose telephone number is

(571)270-3438. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Akwasi M Sarpong/
Examiner, Art Unit 2625
10/24/2010

